IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

WRIT PETITION NO.7795 OF 2004

Ms Gracy M.Braggs, .. Petitioner

Vs

1. mr Mahadev Bapura Gawale,

and Anr. .. Respondents

Mr S.A.Sawant, for the petitioner.

CORAM : D.B.BHOSALE,J.

DATE : 21st September, 2004.

PC:

1. Heard the learned counsel for the petitioner.

2. The application filed by respondent no.2 under Order-I, Rule 3 seeking to join him as a party defendant in the suit filed by the petitioner, has been allowed by the impugned order. He claims that he has purchased the suit property in the public auction and that he has interest in the property and if any order is passed in the suit that may affect his rights. In short, his presence in the suit would be necessary. Considering that, the learned Judge allowed his application holding that his presence would be necessary to enable the Court effectively and completely adjudicate upon and settle all questions involved in the suit. No ground warranting interference is made out in the impugned

order. The writ petition, therefore, fails and is dismissed as such.

3. It is open for the petitioner to make an application for inspection of the documents on which the added respondent has relied upon. If such application is filed, same may be considered in accordance with law.

(D.B.BHOSALE, J.)